

BellSouth Telecommunications, Inc. 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300

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General Counsel Guy M. Hicks 191 JAN 30

Fax,615,214 7406 January 29, 20010 UTIVE SECRETARY

Mr. David Waddell **Executive Secretary** Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

> Re: Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and XO Tennessee, Inc. f/k/a NEXTLINK Tennessee, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996. Docket No. 98-00123

Dear Mr. Waddell:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, XO Tennessee, Inc. f/k/a NEXTLINK Tennessee, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority ("TRA") the original and thirteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated November 4, 1999. Pursuant to the TRA's request, the parties have amended the Agreement to revise the Local Traffic definition.

Thank you for your attention to this matter.

Guy M. Hicks

Sincerely yours,

Dana Shaffer, Attorney for XO Tennessee, Inc. cc:

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and XO Tennessee, Inc. f/k/a NEXTLINK Tennessee, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

Docket No. 98-00123

PETITION FOR APPROVAL OF THE AMENDMENT TO THE INTERCONNECTION AGREEMENT NEGOTIATED BETWEEN BELLSOUTH TELECOMMUNICATIONS, INC. AND XO TENNESSEE, INC. F/K/A NEXTLINK TENNESSEE, INC. PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, XO Tennessee, Inc. f/k/a NEXTLINK Tennessee, Inc. ("XO") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated November 4, 1999 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, XO and BellSouth state the following:

1. XO and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to XO. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on March 28, 2000 upon the condition that the parties delete reference to Docket No. 98-00118 from the definition of local traffic contained in the Interconnection Agreement and replace the reference to Docket No. 98-00118 with a reference to Docket No. 99-00797.

- 2. Pursuant to the TRA's request, the parties have amended the Agreement to revise the Local Traffic definition pursuant to the TRA's Order. A copy of the Amendment is attached hereto and incorporated herein by reference.
- 3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, XO and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.
- 4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and XO within 30 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement with the public interest, convenience and necessity.
- 5. XO and BellSouth aver that the Amendment is consistent with the standards for approval.
- 6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

XO and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This <u>3ct</u> day of <u>522</u>, 2001.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

Guy M. Hicks

333 Commerce Street, Suite 2101 Nashville, Tennessee 37201-3300 (615) 214-6301

Attorney for BellSouth

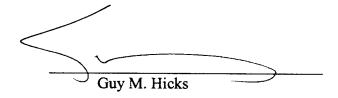
CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail:

Dana Shaffer XO Tennessee, Inc. 105 Molloy Street, Suite 300 Nashville, TN 37201-2315

XO of Tennessee, Inc. Regulatory Department 105 Molloy Street, Suite 300 Nashville, TN 37201-2315

XO of Tennessee, Inc. Regulatory Department 1730 Rhode Island Ave., NW Site 1000 Washington, DC 20036



Amendment To the Agreement between XO tennessee, Inc. And

BELLSOUTH TELECOMMUNICATIONS, INC. DATED NOVEMBER 4, 1999

Pursuant to this Amendment, (the "Amendment"), XO Termosset, Inc. ("XO"), and BellSouth Telecommunications, Inc. ("BellSouth"), bereinsflex referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated November 4, 1999 ("Agreement").

WHEREAS, BellSouth and XO entered into the Agreement on November 4, 1999, and;

NOW THEREFORE, in consideration of the manual provisions contained hards and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby coverant and agree as follows:

 Consistent with the Ruling by the Temperate Regulatory Authority, the Agreement is hereby amended to delete the definition of Local Traffic in Part B of the General Terms and Conditions and replace with the following definition:

Local Traffic is defined at any telephone call that originates in one exchange and terminates in either the same exchange, or a corresponding Extended Area Service ("EAS") exchange. The terms Exchange, and EAS exchanges are defined and specified in Section A3. Of BellSouth's General Subscriber Service Tariff. Consistent with the Tennomer Regulatory Authority's decision in Docket 99-00797, traffic that originated from or terminates to an enhanced service provider or information service provider shall be treated as Local Traffic for purposes of reciprocal companisation.

- All of the other provisions of the Agreement, detect November 4, 1999, shall reason
 in full force and effect.
- 3. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

Time: Senior Vice President	Name: Elizabeth R.A. Shiroist. Tiele: Haraging Director- Dane: 1-24-01
	Dese: 1- 28-01